

EXHIBIT D

Web Tracking v. Google (Case No. 08-cv-03139)The Parties Proposed Constructions of Disputed Terms in U.S. Patent No. 5,960,409

CLAIM LANGUAGE (DISPUTED TERMS BOLD; AGREED TERMS UNDERLINED)	WEB TRACKING'S PROPOSAL	GOOGLE'S PROPOSAL	AGREED-UPON TERMS
<u>Claim 1</u> A method for accounting, wherein a <u>first publisher</u> having a <u>first Web site</u> and a <u>second publisher</u> having a <u>second Web site</u> each publish advertising for an advertiser having a <u>third Web site</u> , the method comprising:			<p><u>Publisher</u>: "An entity that has advertisements displayed on its Web site on behalf of an advertiser and whose Web site is owned and operated by an entity independent from the entity that owns the fourth Web site / third party accounting and statistical service."</p> <p>The terms <u>first publisher</u> and <u>second publisher</u> indicate that the first publisher is different from the second publisher.</p> <p><u>Web Site</u>: "a collection of related web pages, content, or other digital assets or services that are accessed, for example, with a common domain name."</p> <p><u>Advertiser</u>: "An entity whose</p>

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<p>receiving, at a fourth Web site, a <u>first uniform resource locator</u> from a first user's Web browser, wherein the first uniform resource locator is obtained by the first user's Web browser from the first Web site and wherein the first uniform resource locator is <u>associated with advertising for the advertiser</u>;</p>	<p>fourth Web site: "a Web site that is owned and operated by an entity that is independent from the entity(s) that own and operate the first, second and third Web sites, and that performs the function of a third party accounting and statistical service."</p> <p>The terms first Web site, second Web site, and third Web site indicate that each of these Web sites is different from the others, and that the entity(s) that own and operate these Web sites are independent from the entity that owns and operates the fourth Web site / third party accounting and statistical service.</p> <p>the first uniform resource locator is obtained by the first user's Web browser from the first Web site: "The first uniform resource locator is acquired as a result of interaction between the first user's Web browser and the</p>	<p>fourth Web site: "a Web site owned and operated independently from the first, second and third Web sites, and that performs the function of an unbiased third party accounting and statistical service."</p> <p>The terms first Web site, second Web site, and third Web site indicate that each of these Web sites is different from the others, and each must be owned and operated independently from the fourth Web site / unbiased third party accounting and statistical service.</p> <p>the first uniform resource locator is obtained by the first user's Web browser from the first Web site: "The first uniform resource locator is part of the Web page generated by the first Web site and downloaded from the first</p>	<p>advertisements are displayed on a publisher's Web page."</p> <p>The terms <u>first uniform resource locator</u> and <u>second uniform resource locator</u> indicate that each of these uniform resource locators may be different from one another.</p> <p>Associated with <u>advertising for the advertiser</u>: "related to an ad for the advertiser."</p> <p><u>Uniform Resource Locator (URL)</u>: "a string of characters that includes the name, location, or any other characteristic of a network resource (for example, a Web page or other Web service) and that enables interaction with that resource."</p>

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	first Web site (for example, as a result of downloading a Web page from the first Web site or as a result of clicking on a link or an advertisement on the first publisher's Web page as displayed in the first user's browser)."	Web site to the first user's Web browser."	
logging, at the fourth Web site, the receipt of the first uniform resource locator, in response to the receipt of the first uniform resource locator;			
<u>redirecting</u> , at the fourth Web site, the first user's Web browser to the third Web site in response to the receipt of the first uniform resource locator;	redirecting...to the third Web site in response to the receipt of the first uniform resource locator either needs no construction, or should be construed according to the plain and ordinary meaning of claim language subject to the term "redirecting."	redirecting...to the third Web site in response to the receipt of the first uniform resource locator: "Redirecting to the third Web site as the response to the first browser's request containing the first uniform resource locator"	<u>Redirecting</u> : "transferring or pointing from one place to another, for example from one Web site to another Web site or from one node to another node."
receiving, at the fourth Web site, a second uniform resource locator from a second user's Web browser, wherein the second uniform resource locator is obtained by the second user's Web			

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browser from the second Web site and wherein the second uniform resource locator is associated with advertising for the advertiser;			
logging, at the fourth Web site, the receipt of the second uniform resource locator, in response to receiving the second uniform resource locator; and			
redirecting, at the fourth Web site, the second user's Web browser to the third Web site in response to the receipt of the second uniform resource locator.			
<u>Claim 2</u>			
The method of claim 1 wherein the advertising published by the first publisher is a first banner that is associated with the first uniform resource locator and the advertising published by the second publisher is a second banner that is associated with the second uniform resource locator.	banner: "an area of a Web page that can be used to display logos, advertisements or other content to potentially entice a user to obtain further information pertaining to the banner or to connect to an advertiser's Web site."	banner: "an area of a Web page used to display logos or other graphical images."	<u>First banner that is associated with the first uniform resource locator:</u> "The first uniform resource locator is related to the first banner."

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<u>Claim 3</u>			
The method of claim 1 further comprising logging at least one of an indicium of the identity of the first user and an indicium of the identity of the first publisher.			
<u>Claim 4</u>			
The method of claim 1, further comprising preparing a report for one or both of the advertiser and the first publisher, the report comprising each receipt of the first uniform resource locator by the fourth Web site.			
<u>Claim 5</u>			
The method of claim 1 further comprising configuring a Hypertext Transfer Protocol server program at the fourth Web site to issue a 302 redirect response when the first uniform resource locator is received.			
<u>Claim 6</u>			
The method of claim 5 further comprising editing a <u>configuration file</u> for the Hypertext Transfer			<u>configuration file</u> : "A file used to specify settings for a computer program or system or which when

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Protocol server program.			read alters how the computer program or system operates.”

<p><u>Claim 7</u></p> <p>A method for third party accounting on a network that comprises a plurality of nodes, wherein a <u>first node</u> and a <u>second node</u> each publish advertising for a <u>third node</u>, the method comprising:</p>	<p>receiving, at a <u>fourth node</u>, a first <u>download request signal</u> from a <u>fifth node</u>, which first download request signal is received by the fifth node from the first node;</p>	<p>logging, at the fourth node, the receipt of the first download request signal;</p> <p>transmitting from the fourth node a second download request signal to the fifth node,</p> <p>which second download request signal directs the fifth node towards the third node;</p> <p>receiving, at the fourth node, a third download request signal from a sixth node, which third download request signal is</p>	<p><u>fourth node</u>: "a node that is owned and operated by an entity that is independent from the entity(s) that own and operate the first, second, and third nodes, and that performs the function of a third party accounting and statistical service."</p>		<p><u>fourth node</u>: "a node owned and operated independently from the first, second and third nodes, and that performs the function of an unbiased third party accounting and statistical service."</p>	<p>The terms <u>first node</u>, <u>second node</u>, <u>third node</u>, <u>fifth node</u>, and <u>sixth node</u> indicate that each of these nodes is different from the others, and from the fourth node / third party accounting and statistical service.</p> <p>Download request signal: "a message sent from one node to another that requests information."</p>
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received by the sixth node from the second node;				
logging, at the fourth node, the receipt of the third download request signal; and				
transmitting from the fourth node a fourth download request signal to the sixth node, which fourth download request signal directs the sixth node to the third node.				
<u>Claim 8</u>				
The method of claim 7 wherein the advertising published by the first node for the third node is a first banner that is associated with the first download request signal and the advertising published by the second node for the third node is a second banner that is associated with the second download request signal.				

<u>Claim 9</u>					
A method comprising:					
receiving a first uniform resource locator from a first browser, wherein the first uniform resource locator is obtained by the first browser from a first Web site that publishes advertising for an advertiser;		The terms first Web site , second Web site , and third Web site indicate that each of these Web sites is different from the others, and each must be owned and operated independently from the fourth Web site / unbiased third party accounting and statistical service.	The terms first Web site , second Web site , and third Web site indicate that each of these Web sites is different from the others, and that the entity(s) that own and operate these Web sites are independent from the entity that owns and operates the fourth Web site / third party accounting and statistical service.		
logging, in response to the receipt of the first uniform resource locator, the receipt of the first uniform resource locator;					
transmitting, in response to the receipt of the first uniform resource locator, a second uniform resource locator to the first browser , wherein the second uniform resource locator is associated with a second Web site that is associated with the advertiser;		transmitting, in response to the receipt of the first uniform resource locator, a second uniform resource locator to the first browser : "transmitting as the response to the first browser's request that contains the first uniform resource locator, a second uniform resource locator to the first browser."	The term transmitting, in response to the receipt of the first uniform resource locator, a second uniform resource locator to the first browser needs no construction, and if it is to be construed, should be construed as its "plain and ordinary meaning."		
receiving a third uniform resource locator from a second browser,					

wherein the third uniform resource locator is obtained by the second browser from a third Web site that publishes advertising for the advertiser;				
logging, in response to the receipt of the third uniform resource locator, the receipt of third uniform resource locator; and				
transmitting a fourth uniform resource locator to the second browser, wherein the fourth uniform resource locator is associated with the second Web site.				
<u>Claim 10</u>				
The method of claim 9 wherein the first uniform resource locator is uniquely associated with the first Web site and the second Web site, and wherein the third uniform resource locator is uniquely associated with the second Web site and the third Web site.				wherein the first uniform resource locator is uniquely associated with the first Web site and the second Web site: "the first URL is specifically related to the first Web site and to the second Web site."

<u>Claim 11</u>				
The method of claim 9 wherein the first uniform resource locator is associated with a first banner that is published by the first Web site and that is advertising for the advertiser and wherein the third uniform resource locator is associated with a second banner that is published by the third Web site and that is also advertising for the advertiser.				